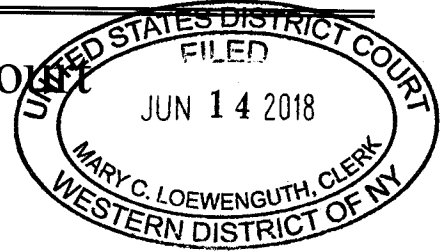


AO 91 (Rev. 02/09) Criminal Complaint

United States District Court
for the
Western District of New York



United States of America)

v.)

CHARLIE CONANT)

Defendant

Case No. 18-MJ- 4071

CRIMINAL COMPLAINT

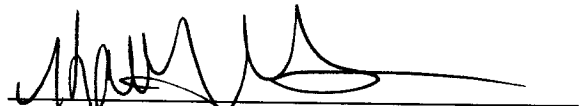
I, KATHRYN M. GAMBLE, the complainant in this case, state that the following is true to the best of my knowledge and belief:

Between on or about February 27, 2018 and June 14, 2018, in the Western District of New York and elsewhere, the defendant **CHARLIE P. CONANT**, using a facility or means of interstate or foreign commerce, knowingly attempted to persuade, induce, entice or coerce an individual who had not attained the age of 18 years, to engage in sexual activity for which any person can be charged with a criminal offense, in violation of Title 18, United States Code, Section 2422(b).

SEE ATTACHED AFFIDAVIT OF SPECIAL AGENT KATHRYN M. GAMBLE, HSI.

This criminal complaint is based on these facts:


☒ Continued on the attached sheet.


Complainant's signature

Kathryn M. Gamble, Special Agent, H.S.I.
Printed name and title

Sworn to before me and signed in my presence.

Date: 6/14/18


Judge's signature

City and State: Rochester, New York

Marian W. Payson, United States Magistrate Judge
Printed name and title

AFFIDAVIT

18-mg-4071

STATE OF NEW YORK)
COUNTY OF MONROE) SS:
CITY OF ROCHESTER)

I, KATHRYN M. GAMBLE, being duly sworn, depose and state the following:

1. I am a Special Agent with the Department of Homeland Security, Homeland Security Investigations ("HSI"). I have been employed as a Special Agent since June 2008. I am currently assigned to the HSI Special Agent in Charge in Buffalo, New York. I am responsible for investigating crimes involving child exploitation and child pornography, including crimes involving coercion and enticement of minors in violation of Title 18, United States Code, Sections 2422(a) and 2422(b).

2. I make this affidavit in support of a criminal complaint charging CHARLIE P. CONANT, with a violation of Title 18, United States Code, Section 2422(b), related to the attempted online enticement of a minor.

3. All information contained in this affidavit is based on my personal knowledge or has been related to me by other law enforcement agents. Since this affidavit is being submitted for the limited purpose of securing a criminal complaint, I have not included each and every fact known to me. I have set forth only the facts that I believe are necessary to establish probable cause to believe that CHARLIE P. CONANT did knowingly violate Title 18, United States Code, Section 2422(b).

4. On February 27, 2018, an undercover New York State Police (NYSP) Investigator (the UC) located an ad posted in a particular Syracuse, New York advertisement website. The ad was located in the personals – casual encounters section. The ad was titled, “Very horny – m4w (Syracuse).” The ad narrative stated that the poster was looking to engage in sexual activity and the poster was interested in “any age.” The ad contained three photographs. Two of the pictures were of the same white male from the chest up. The third picture was of a male’s stomach, penis, and arm. Based on the nature of the ad, the UC believed that the ad may have been targeting minors for sex.

5. On February 27, 2018, the UC responded to the ad via email posing as a 12-year-old female. The UC (hereinafter the “minor”) wrote to the ad poster, “Hi!! Idk if Im 2 young for u but wanted 2 say hi! Soooo hi!!! Lmao :).”

6. On March 24, 2018, the poster of the ad (hereafter referred to as “the defendant”) responded to the minor’s email. The defendant asked, “Hey how you doin? How old are you? What do you want to get into? Can I see pics of you?”

7. On March 25, 2018, the minor responded to the defendant’s email stating, “Hi :) I’ll b 13 in a few months :) yea I got pics lmao. If I don’t wanna talk I get it.” The defendant responded to this, stating, “That’s not too young at all. That’s perfect. I’d love to see pics of you.” The minor stated, “Thanks :) another guy on here yelled at me cuz he said 12 years old shouldn’t b on here :/ I told him I wasn’t a freakin baby duh.” The defendant then responded, “Right. Your age is perfect for me.” The minor sent the defendant a pre-approved, supposed photo of herself, which appeared to depict a female child. The defendant responded to the picture stating, “You’re really cute and sexxxii. Can you send more?” The defendant sent a

picture of himself, which appeared to be the same male depicted in the pictures posted in the online ad. The defendant sent a second picture, which was one of the same pictures posted in the online ad. The defendant requested more pictures from the minor, who sent another pre-approved undercover picture depicting was appeared to be a minor female. The defendant stated, "Thank you very much. I'm 28. I hope that's not too old." The defendant asked the minor where she lived, at which point the minor and the defendant switched their communications to text message.

8. On March 25, 2018, the communication continued between the defendant and minor via text message. The defendant stated his first name was "Charlie." The defendant stated that he was smoking marijuana. The minor indicated that she had never smoked marijuana before, to which the defendant stated, "We could smoke together if you want." The defendant followed up telling the minor that he gets horny when he smokes. The defendant went on to say, "Like I'll start making out with you and kiss you all over. And feel you up."

9. On March 26, 2018, the defendant continued to ask for more pictures of the minor. The minor sent pictures and the defendant responded, "You are so pretty baby. I wish I could kiss your lips" and "I'll kiss you all over you naked body" and "Would you like that?" The minor responded, "Like idk I guess maybe. R u gonna think I'm dum cuz I never done it??? :/." The defendant then asked, "Are you a virgin babygurl? It's okay if you are." The minor stated she was a virgin and the defendant responded, "That's okay. I'd love to take your virginity ;)." The minor responded, "4 real?? Or u messin w me." The defendant then stated, "I'm for real baby. I will fuck the shit outta you ;) mmmm." The minor asked, "Like

u ain't gonna hurt me r u?" The defendant replied, "I promise I won't hurt you babygurll." The minor asked if she would get pregnant to which the defendant replied, "I won't get you pregnant my love" and "Cause if I got you pregnant I would get arrested for having sex with an underage girl and I don't want that." The defendant stated, "I will pull out before I cum baby. Where do you live?" The minor replied that she lives in Seneca Falls, NY. The defendant went on to advise that he lives in Syracuse and asked the minor if she would like to exchange naked pictures. The minor told the defendant that she was not comfortable sending naked pictures. The defendant persisted by continuing to ask the minor to send naked pictures. The defendant stated when he "hung out" with the minor that he wanted to "cuddle, make out with each other, have sex."

10. On March 27, 2018, the defendant asked the minor "You wanna see a pic if my cock?" The minor responded "Hehe sure :)." The defendant then stated, "I would love to see a pic of your pussy" and "I'll resend it. Can you send me a pic of your pussy in return?" The defendant sent a picture of his penis, which appears to be the same picture posted in the online ad.

11. On March 28, 2018, the defendant stated, "I have a daddy/daughter fantasy." When asked what he meant, the defendant stated, "A sexual fantasy." He went on to say, "Role playing. You would be my daughter/princess and I would be your daddy" and "With pleasing each other sexually. Me eating your pussy out and having you suck my cock and I will fuck your pussy." The minor responded, "Like role play pretend? Like u know I'm 12 for reals right??? Like I don't want u 2 get mad at me cuz I'm younger than u when U get here :(" The defendant then said, "Like role play and actually play it out babygurll. And yes I

know that my love. And I'm okay with that. I think it's sexxxxii." The defendant also stated, "I've always wanted this. I'm glad you wanna be with me cause I've always wanted to be with someone your age."

12. On March 29, 2018, the defendant stated, "Good morning my sexxxxii princess I won't be able to talk to you until like 10pm cause I'll be at work. My phone service is off and there isn't any wifi at work." After this, the defendant did not send another text message until May 15, 2018.

13. On May 15, 2018, the defendant text messaged the minor "Heyyyyyy babygurll, how you doin?" and "I really miss you princess." The minor responded, "Hi. Thought u forgot bout me." The defendant responded, "Not at all my sexxxxii princess" and "Daddy would really love to meet you today or if not today really really soon." The defendant sent more pictures of himself and asked for pictures of the minor.

14. On May 30, 2018, the defendant stated, "I'm getting my Jeep this upcoming week babygurll" and "So I'll be able to definitely come and see you my sexxxxii princess." The defendant discussed coming over when the child's grandmother wasn't home and stated, "Right. And I don't wanna get in trouble either. Cause this between you and me is completely illegal even if you say yes." The defendant stated, "I'd love to get pics with you my sexxxxii babygirll if you're okay with it" and "We can take naked pics with each other too if you want." The defendant again discussed taking the child's virginity and engaging in sexual intercourse. The defendant stated, "I'll make sure you don't get preg when we fuck babygurll. Daddy's cock is so hard just thinking about it."

15. On June 1, 2018, the defendant stated, “I can’t wait to hug/hold you and kiss you all over” and “I can’t wait to have sex with daddy’s sexxxii little princess too.”

16. On June 4, 2018, the minor stated to the defendant, “like u sure u don’t care I’m 12?? Like I don’t want u 2 get here and think I’m ugly :(.” The defendant responded, “I don’t mid at all princess. I think it’s sexxxii :) ;).”

17. On June 5, 2018, the defendant stated, “I just got out of the DMV. I got my registration and license plates.”

18. On March 27, 2018, a U.S. Immigration and Customs Enforcement summons was served on the advertisement website for the ad posted by the defendant.

19. On March 29, 2018, Homeland Security Investigations agents in the Buffalo, New York office received a subpoena response from the advertisement website. The response revealed that the ad was posted by an individual using the email account charlieconant30@gmail.com.

20. On March 30, 2018, the UC reviewed Charlie P. Conant’s New York State Driver’s License and Driver’s License photograph. Charlie P. Conant’s New York State DMV photo matched the male depicted in the online ad photographs and the pictures the defendant sent to the UC. According to DMV records, Conant was born on XX/XX/1990, and is 28 years old.

21. On June 1, 2018, the UC located the social media page of Charlie P. Conant on Facebook.com. The pictures of Charlie P. Conant match the pictures of the defendant.

22. On June 5, 2018, the UC reviewed vehicles registered with the New York State DMV in the defendant's name. The UC observed that the defendant has a registered 2005 Jeep Liberty, NY Registration JAY1052. The DMV lists that the plates for the Jeep Liberty were issued on June 5, 2018.


23. Between June 5 and June 14, 2018 the UC continued to communicate with the defendant via text message. During those chats, the defendant indicated that he wanted to meet with the child in Seneca Falls, NY for the purpose of having sex. A meeting was set for today's date, June 14, 2018, at a particular location in Seneca Falls, NY. The meeting was set for between approximately 9:00 am and 10:00 am, when the minor's grandmother was supposedly at work. Your affiant, and members of the NYSP, assumed positions near the meeting place and at approximately 10:15 am, the defendant arrived driving the above-described Jeep Liberty.

24. The defendant was arrested and transported to NYSP Waterloo, where he was read Miranda Warnings. After indicating that he understood the warnings and wished to waive them, the defendant was interviewed by your affiant. During the interview, the defendant admitted that he traveled to Seneca Falls from Syracuse, NY in order to meet with the 12 year old child. The defendant indicated that he believed the child was in fact 12 years old, and when asked, he confirmed he intended to have sex with the child. The defendant then wrote an apology letter to the child in my presence.

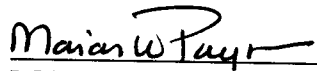
25. New York State Penal Law Section 130.65(4) states that a person is guilty of Sexual Abuse in the First Degree when he or she subjects another person to sexual contact when the other person is less than thirteen (13) years old and the actor is twenty-one (21) years

old or older. Sexual Abuse in the First Degree is a Class D Felony offense under the New York State Penal Law.

WHEREFORE, based on the foregoing, I respectfully submit that there is probable cause to believe that CHARLIE P. CONANT did knowingly violate Title 18, United States Code, Section 2422(b), related to the attempted online enticement of a minor.


KATHRYN M. GAMBLE
Special Agent
Homeland Security Investigations

Sworn to before me this
14TH day of June, 2018.


MARIAN W. PAYSON
United States Magistrate Judge